IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 9818 of 2004

Between:

Inaganti Narendra Babu, S/o Rajalingam, Hindu,
being Minor rep. by its Father and Natural guardian, Inaganti Rajalingam, S/o
Nagalingam, Hindu, aged about 38 yrs, Occ: Business, R/o D.No. 8-41/19,
Medowell Colony, Hemanagar, Uppal Post, Ghatkesar (M), RR Dist.

..... PETITIONER

AND

1 State Board of Technical Education & Training, A.P., Masab Tank, Hyderabad, rep. by its C.T.E. and Convenor.
2 The Government of Andhra Pradesh, rep. by its Commissioner, Technical Education, Hyderabad.
3 The Government of Andhra Pradesh, rep. by its Secretary, Higher Education, Secretariat, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus or any other appropriate writ declaring the action of the 1st respondent in not allowing the writ petitioner for councelling for CEEP-2004 admission on 15-6-2004 as illegal, and arbitrary and it is further consequentially prayed that this Hon'ble Court may be pleased to declare that the writ petitioner is entitled to be allowed for councelling and entitled to a seat in polytechnic depending upon his rank subject to passing his Advanced Supplementary SSC examination in view of the policy of the Government to allow CEEP-2004 rank holders to prosecute polytechnic study if they pass the Advanced Supplementary SSC Public Examination by keeping open their seat

For the Petitioner:MR.S.R.SANKU -Advocate

For the Respondent No.: GP FOR TECHNICAL EDUCATION

The Court Made the Following

ORDER

The present writ petition is filed questioning the action of the first respondent in not allowing the writ petitioner in the counselling for admission into Polytechnic course.

It is stated that the petitioner appeared for S.S.C. examinations held in March 2004 and also appeared in Common Entrance Examination for admission into Polytechnic and obtained a rank of 010820. However, he failed in the S.S.C. examinations and appeared for the advanced supplementary examinations held on May, 2004. The counselling for admission into polytechnic was held on 15-6-2004 and petitioner was not allowed to participate in the same on the ground that he has not yet passed S.S.C. examination. The petitioner base is claim on a press statement said to have been issued by the Minister for Higher Education to the effect that the candidates who secured rank in CEEP-2004 and appearing for advanced supplementary examinations would be accommodated in the polytechnic course. The petitioner contend that the action of the respondents in not allowing him to participate in the counselling held on 15-6-2004 is contrary to the stand of the Government that the candidates passed in the advanced supplementary examinations would be considered for admission into polytechnic, if they secured a rank in CEEP-2004.

Heard learned counsel for petitioner and learned Government Pleader for Technical Education.

Learned Government Pleader on instructions submitted that news item appeared in the newspapers is not a correct one and the statement of the Minister was misunderstood. It is further stated that every year about six to seven thousand surplus seats are available in the polytechnic

course and the cases of students like the petitioner who appeared for advanced supplementary exams would be considered after the results of the examinations are declared, in the subsequent counselling.

In the circumstances, if any subsequent counselling is conducted for left over seats for admission into polytechnic course permitting the candidates who succeeded in the advanced supplementary examinations, the case of the petitioner shall be considered in accordance with law, if he is otherwise eligible and fulfil all the requirements. Accordingly, the writ petition is disposed of. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 State Board of Technical Education & Training, A.P., Masab Tank, Hyderabad, rep. by its C.T.E. and Convenor.
2 The Government of Andhra Pradesh, rep. by its Commissioner, Technical Education, Hyderabad.
3 The Government of Andhra Pradesh, rep. by its Secretary, Higher Education, Secretariat, Hyderabad.
4. 2CCs to G.P. for School Education, High Court, Hyderabad.
5. 2CD copies.